

1-31-05

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Dated: January 28, 2005. Signature: Linda Blake
(Linda Blake)

Docket No.: BRMZ-P02-004
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nicole Lesley Prokopishyn

Confirmation No.: 7139

Application No.: 10/501856

Art Unit: 1638

Filed: November 29, 2004

Examiner: Not Yet Assigned

For: SHORT FRAGMENT HOMOLOGOUS
RECOMBINATION TO EFFECT
TARGETED GENETIC ALTERATIONS IN
PLANTS

January 28, 2005

INFORMATION DISCLOSURE STATEMENT (IDS)

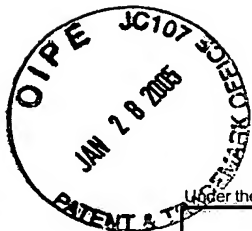
MS Amendment
Commissioner for Patents
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Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of each reference on the PTO/SB/08 is attached, except the U.S. patents. Applicants note that reference "BF" is a PCT application written in French. Applicants are not in possession of an English translation and therefore are not required to provide one to the office in accordance with CFR 1.98(a)(3)(ii). However, reference "AB" is a U.S. patent granted based on the national stage filing of the PCT application.



PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/501856	
	Filing Date	November 29, 2004	
	First Named Inventor	Nicole Lesley Prokopishyn	
	Art Unit	1638	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	8	Attorney Docket Number	BRMZ-P02-004

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): SB/08 Copy of references BA-BF and CA-CZ Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	ROPES & GRAY LLP		
Signature			
Printed name	Ignacio Perez de la Cruz		
Date	January 28, 2005	Reg. No.	55,535

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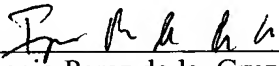
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

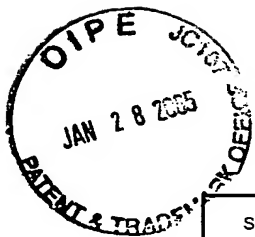
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. BRMZ-P02-004. A duplicate copy of this paper is enclosed.

Dated: January 28, 2005

Respectfully submitted,

By 
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Attorneys/Agents For Applicant



PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/501856
				Filing Date	November 29, 2004
				First Named Inventor	Nicole Lesley Prokopishyn
				Art Unit	1638
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	BRMZ-P02-004

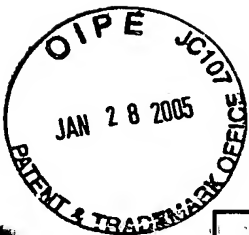
U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	6,010,908	01-04-2000	Gruenert et al.	
	AB	6,566,587	05-20-2003	Lebrun et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	WO 99/07865		02-18-1999	Kimragen, Inc.	
	BB	WO 99/25853		05-27-1999	Pioneer Hi-Bred International, Inc.	
	BC	WO 98/54330		12-03-1998	Zeneca Limited	
	BD	WO 97/04103		02-06-1997	Rhone-Poulenc Agrochimie	
	BE	WO 01/85969 A2		11-15-2001	Pioneer Hi-Bred International, Inc.	
	BF	WO 99/25821		05-27-1999	Pioneer Hi-Bred International, Inc.	

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NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	CA	GAMPER, et al., 2000, The DNA strand of chimeric RNA/DNA oligonucleotides can direct gene repair/conversion activity in mammalian and plant cell-free extracts, Nucleic Acids Research 28, 4332-39		
	CB	NASSAL, M. et al., 1990, PCR-based site-directed mutagenesis using primers with mismatched 3'-ends, Nucleic Acids Research 18, 3077-8		
	CC	HEMSLEY, A., et al., 1989, A simple method for site-directed mutagenesis using the polymerase chain reaction, Nucleic Acids Research 17, 6545-51		
	CD	COOK, A.F., et al., 1988, Synthesis and hybridization of a series of biotinylated oligonucleotides, Nucleic Acids Research 16, 4077-95		
	CE	CONNOLLY, B.A., 1988, The synthesis of oligonucleotides containing a primary amino group at the 5'-terminus, Nucleic Acids Research 15, 3131-9		
	CF	PERRIN, S. et al., 1990, Site-specific mutagenesis using asymmetric polymerase chain reaction and a single mutant primer, Nucleic Acids Research 18, 7433		
	CG	HOHN, B. et al, 1999, Gene therapy in plants, PNAS 96, 8321-23		
	CH	REISS, B. et al, 1999, RecA protein stimulates homologous recombination in plants, PNAS 93, 3094-98		
	CI	SHAVEL, G. et al., 1999, Stimulation of homologous recombination in plants by expression of the bacterial resolvase RuvC, PNAS, 7398-02		

Examiner Signature		Date Considered	
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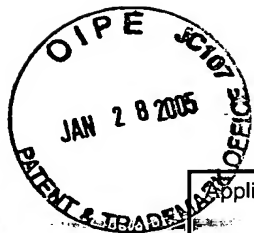
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		Art Unit	1638
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	BRMZ-P02-004
Sheet	2	of	2

CJ	REISS, B. et al., 2000, RecA stimulates sister chromatid exchange and the fidelity of double-strand break repair, but not gene targeting, in plants transformed by Agrobacterium, PNAS 97, 3358-63
CK	ZHU, T. et al., 1999, Targeted manipulation of maize genes in vivo using chimeric RNA/DNA oligonucleotides, PNAS 97, 3358-63
CL	BEETHAM, P.R. et al., 1999, A tool for functional plant genomics: Chimeric RNA/DNA oligonucleotides cause in vivo gene-specific mutations, PNAS 96, 8774-78
CM	YUSIBOV, V.M., 1994, Association of single-stranded transferred DNA from Agrobacterium tumefaciens with tobacco cells, PNAS 91, 2994-98
CN	HANSEN, G. et al., 1997, T-strand integration in maize protoplasts after codelivery of a T-DNA substrate and virulence genes, PNAS 94, 11726-30
CO	DOETSCHMAN, T., et al., 1997, Targeted correction of a mutant HPRT gene in mouse embryonic stem cells, Nature 330, 576-78
CP	THOMAS, K.R. et al., 1987, Site-Directed Mutagenesis by Gene Targeting in Mouse Embryo-Derived Stem Cells, Cell 51, 503-12
CQ	KEMPIN, S.A. et al., 1997, Targeted disruption in Arabidopsis, Nature 389, 802-3
CR	OH T. et al., 2001, Oligonucleotide-directed plant gene targeting, Curr. Op. Biotech. 12, 169-172
CS	MENGISTE, T. et al., 1999, Prospects for the Precise Engineering of Plant Genomes by Homologous Recombination, Biol. Chem. 380, 749-58
CT	ZHU, T. et al., 2000, Engineering herbicide-resistant maize using chimeric RNA/DNA oligonucleotides, Nature Biotech. 18, 555-558
CU	KAPSA, R. et al., 2001, In Vivo and in Vitro Correction of the mdx Dystrophin Gene Nonsense Mutation of Short-Fragment Homologous Replacement, Human Gene Therapy 12, 629-42
CV	COLOSIMA, A. et al., 2001, Targeted Correction of a Defective Selectable Marker Gene in Human Epithelial Cells by Small DNA Fragments, Mol. Therapy Vol. 3, No. 3
CW	GONCZ, K.K. et al., 1998, Targeted replacement of normal and mutant CFTR sequences in human airway epithelial cells using DNA fragments, Hum. Mol. Genetics 7, 1913-19
CX	KUNZELMANN, K. et al., 1996, Gene targeting of CFTR DNA in CF epithelial cells, Gene Therapy 3, 859-867
CY	HANSEN, G. et al., 1993, "Agroclistic" transformation of plant cells: Integration of T-strands generated in planta, PNAS 93, 14978-83
CZ	LANDT, O. et al., 1990, A general method for rapid site-directed mutagenesis using the polymerase chain reaction, Gene 96, 125-8

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Application No. (if known): 10/501856

Attorney Docket No.: BRMZ-P02-004

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